

ASSIGNED

61146

Serial No.....

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office APR 14 1995

Returned to applicant for correction.....
Corrected application filed..... Map filed April 14, 1995 -existing POU;
proposed POU under 57748
3 of 3 June 22, 1992

The applicant Dwayne M. Diffin c/o U.S. Fish & Wildlife Service
P.O. Box 1236 of Fallon
Street and No. or P.O. Box No. City or Town
Nevada 89406 hereby make application for permission to change the
State and Zip Code No.
place of use of a portion and the manner of use
Point of diversion, manner of use, and/or place of use
of water heretofore appropriated under Truckee-Carson Irrigation District Serial No. 255-1
Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and
United States of America v. Orr Water Ditch Co. in Equity No. A-3 Claim No. 3;
Identify right in Decree.
United States of America v. Alpine Land & Reservoir Co. D.C. No D-183 BRT; both
in the Federal District Court of Nevada.

1. The source of water is Truckee River & Carson River
Name of stream, lake, underground spring or other source.
2. The amount of water to be changed 49.63 ac.ft. (16.60 acres x 2.99 ac.ft. per acre)
Second feet, acre feet. One second foot equals 448.83 gallons per minute.
3. The water to be used for maintenance of wetlands for Recreation and Wildlife/Storage
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
4. The water heretofore permitted for as decreed
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.
5. The water is to be diverted at the following point Lahontan Dam being within the SW-SE,
Describe as being within a 40-acre subdivision of public survey and by course and
Section 33, Township 19 North, Range 26 East, M.D.B. & M.
distance to a section corner. If on unsurveyed land, it should be stated.
6. The existing permitted point of diversion is located within no change
If point of diversion is not changed, do not answer.
7. Proposed place of use 77,364 acres - plus or minus - as depicted on supporting map
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.
of permit No. 57748; (See attached Exhibit A).
8. Existing place of use 16.60 acres in the NE-NE, Section 13, T. 18N, R. 29E,
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or
M.D.B. & M.
manner of use of irrigation permit, describe acreage to be removed from irrigation.
9. Use will be from as decreed to Month and Day of each year.
Month and Day
10. Use was permitted from as decreed to Month and Day of each year.
Month and Day
11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and specifications of your diversion or storage works.) No new diversion or storage works on the
State manner in which water is to be diverted, i.e. diversion structure,
Truckee and Carson River will be constructed.
ditches, pipes and flumes, or drilled well, etc.
12. Estimated cost of works N/A
13. Estimated time required to construct works N/A

14. Estimated time required to complete the application of water to beneficial use.....1 year.....

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

.....Applicant expressly reserves the right to transfer in a later proceeding
1).....51 acre feet for each of the 16.60 acres from which 2.99 acre feet
per acre is to be transferred by this application. Applications 56224
and 57911 and Permit 49395 are located within this property but are not
 a part of this transfer.

By s/Barry A. Fitzpatrick
 Barry A. Fitzpatrick S.W.R.S. #817
 137 Keddie Street
 Fallon, Nevada 89406

Compared.....jk/sm.....cl/cmg

Protested.....

APPROVAL
OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the place and manner of use of the waters of the Truckee and Carson Rivers as set forth under the Newlands Reclamation Project rights in the Truckee and Carson River final decrees is issued subject to the terms and conditions imposed in said decrees and with the understanding that no other rights on the source will be affected by the change proposed herein.

This permit is expressly contingent on the payment of the operation and maintenance charges that are properly assessed and come due the same as if the water right were still appurtenant to the agricultural land from which it is transferred, pursuant to NRS 533.370, subsection 1 (b).

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed.....49.63 acre-feet.....~~cubic feet per second~~ as decreed.

Work must be prosecuted with reasonable diligence and be completed on or before.....January 8, 1997

Proof of completion of work shall be filed before.....February 8, 1997

Application of water to beneficial use shall be made on or before.....January 8, 2000

Proof of the application of water to beneficial use shall be filed on or before.....February 8, 2000

Map in support of proof of beneficial use shall be filed on or before.....N/A

Completion of work filed.....**OCT 10 1996**

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No.....Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
 State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this.....8th.....day of.....January.....

A.D. 19.....96.....

[Signature]
 State Engineer